

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
No. 5:17-CV-214

RICKY A. SALTZGIVER,)
)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL,)
)
Acting Commissioner of)
Social Security)
)
Defendant.)
)
_____)

ORDER

This matter is before the court on Defendant's Motion for Remand to the Commissioner for further administrative proceedings (Doc. No. 14). The Commissioner wishes to conduct further fact finding, including holding a new hearing. Plaintiff's counsel consents to the Government's Motion for Remand.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, the Court hereby **GRANTS** Defendant's Motion to Remand (Doc. No. 14), **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g), and **REMANDS** the case to the Commissioner for further proceedings, including a new hearing. *See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff's pending Motion for Summary Judgment (Doc. No. 12) is accordingly dismissed as moot.

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: August 21, 2018

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

